

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JUDY JIEN, et al.,

Plaintiffs,

v.

PERDUE FARMS, INC., et al.,

Defendants.

CIVIL ACTION NO. 1:19-CV-2521-SAG

**MOUNTAIRE FARMS INC.'S MOTION TO DISMISS THE THIRD AMENDED
CONSOLIDATED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Mountaire Farms Inc. (“Mountaire”) requests that the Court dismiss Plaintiffs’ Third Amended Consolidated Complaint as to Mountaire for failure to state a claim upon which relief can be granted, for the reasons more fully set forth in the accompanying memorandum of law.

In addition, as noted therein, Mountaire joins the Motion to Dismiss for Lack of Standing Pursuant to Rule 12(b)(1) filed separately by all Defendants.

WHEREFORE, Mountaire respectfully requests that the Court enter an Order dismissing the Third Amended Consolidated Complaint with prejudice as to Mountaire.

Dated: April 18, 2022

/s/ Michelle M. McGeogh

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Counsel for Defendant
MOUNTAIRE FARMS INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 18th day of April, 2022, I caused Defendant Mountaire Farms Inc.'s Motion to Dismiss the Third Amended Consolidated Complaint to be served via the Court's CM/ECF system on all counsel of record in accordance with the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the District of Maryland.

/s/ Michelle M. McGeogh
Michelle M. McGeogh